

## **REMARKS**

An Office Action was mailed on December 12, 2007. This response is timely. Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290.

### **Summary**

Claims 1-14 were examined, of which claims 1, 11, and 12 are the only independent claims.

By the foregoing, claim 11 is cancelled, other claims are amended in a non-limiting manner.

### **Objection to the Title**

The title is objected to for being non-descriptive. The title is amended. Support for the amendment may be found at least in the preamble of claim 1. No new matter has been added.

Accordingly, the Examiner is respectfully requested to withdraw the objection.

### **Objections to the Claims**

The claims are objected to for grammatical and typographical errors. The same are now corrected. With respect to the lack of antecedent bases of “the portal servers” in claim 1, line 16 (in the formatting as-filed), the Examiner is respectfully referred to claim 1, line 13 (in the formatting as filed) wherein “a plurality of portal servers” are recited.

Accordingly, the Examiner is respectfully requested to withdraw the objection.

### **Rejections under 35 U.S.C. §112, 2nd paragraph**

Claims 1-14 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing claim subject distinctly. The claims are now amended in a non-limiting manner. No new matter has been added.

Accordingly, the Examiner is respectfully requested to withdraw the rejections.

**Rejections under 35 U.S.C. §103(a)**

Claims 1-3, 5-8, and 12-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2003/0158777 to Schiff in view of East-West Directory.com. Claim 4 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schiff, East-West Directory.com in view of U.S. Patent No. 6,480,885 to Olivier. Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schiff in view of East-West Directory.com in further view of U.S. Patent No. 7,069,446 to Wiederin.

The rejection is respectfully traversed.

The claimed invention as now recited in independent claims 1 and 12 provide for a totally new manner of distributing data e-mails from a plurality of data providers to a plurality of data receivers over the Internet. This is especially valuable for emails that include advertising.

The present invention thereby teaches a fundamentally new and never suggested concept for distributing and displaying data emails over the website (homepage) of specific portal servers from a plurality of portal servers, which are all linked to the central information server of the inventive system. Each data provider is thereby enabled to push the content of one single (advertising) data email into the web presence of different portal servers linked to the inventive information system and to choose specifically, which of the plurality of portal servers is permitted access to his data emails in order to display them for the plurality of data receivers over the Internet.

Thus, the claimed system and procedure incorporate several key aspects. First, the inventive system comprises a central information server for receiving, storing and handling all incoming data emails from the plurality of data providers. The data providers and the (plurality of) portal servers are connected to the central information server by means of respective email and web interface units. The email interface unit of the central information server provide for at least one provider-specific email-address for each of the plurality of data provider.

Second, the system comprises a selection device, which allows automatic and selective distribution of the data email to specific portal servers. Thereby, each portal server only gets access to specific data emails, which are chosen according to the identity of the respective portal server.

Third, the data emails, which are specifically chosen according to the aforementioned criteria, may be displayed, e.g., represented on the website (homepage) of the respective portal server by means of a link on the homepage.

All these features together form the inventive concept of claims 1 and 12, which is not teach, disclose, or suggested by the cited art, either individually or in combination with each other.

The advantages of the present invention are described in detail at pg. 3, paragraph 3 of the specification as filed.

Conventional online advertising concepts rely on one of two following options: (1) either the advertising concept relies on advertising content that has to be integrated into a website (for example, in the form of banners, which may for instance dynamically change) or (2) the user (data receiver) is addressed by means of individual data emails (like newsletters or the like). Each of these two concepts has its own advantages and disadvantages.

Banners or other forms of website-integrated advertising are an effective instrument to address users on specific web pages of their interest but are complex to create. Furthermore, they need to be manually implemented into the respective website or into a data storage unit from which the website gets its data.

Emails (like newsletters or the like) are easy to produce but are often deleted unread by recipient who get more and more upset by unwanted emails (spam). Technical filters (spam filters) help them to keep away unwanted email.

Until now there existed no successful combination of these two different concepts of online advertising, which is realized by means of the presently claimed invention for the first time.

The rejections are improper for at least the following reasons. Applicant respectfully submits that one skilled in the art would not seek to combine Schiff and East-West Directory since the combination is unworkable and would require that the primary reference, Schiff, be rendered inoperative. Both references rely on the conventional means of delivering advertising to users that was described above. Since these methods are mutually exclusive, each of the cited references renders the other unworkable, or more particularly, East-West Directory render Schiff unworkable.

Even if one combines the separate and in no way interrelated teachings of these two prior art references, one still does not arrive at the claimed solution. In this context it may be of further importance that the invention according to new claims 1 and 12 has been further specified by introduction of a new limitations.

Claims 1 now recites an information system that includes the limitation of

*the selection device (13) comprises a memory unit for provider-specific input concerning the identity of the portal servers (3) with authorization to access data emails (8) from specific data providers (X,Y),*

Claim 12 now recites a method that includes the step of

*Providing a memory unit for provider-specific input concerning the identity of the one of the plurality of portal servers (3) with authorization to access the plurality of data emails (8) from specific ones of the plurality of data providers (X,Y);*

Support thereof may be found at pg. 6, line 5. No new matter has been added.

Thereto, the claimed invention now provides for the possibility that the data providers can themselves decide, which portal server(s) may have access to their data emails or not. Since the selection of data emails, which are accessible and displayable from specific portal servers,

depends on the identity of the respective portal server, the system provides for a novel routing of (single) data emails to a plurality of data receivers.

As noted, Schiff is silent with respect to a system wherein the portal servers have access to specific data emails, which are stored in an advertising memory of a central information server. Further, Schiff does not teach, disclose, or suggest the selection of data emails (or other advertising means) depending on the identity of the portal server.

Furthermore, Schiff now also fails to teach, disclose, or suggest that the selection device comprises a memory unit for provider-specific input concerning the identity of the portal servers with authorization to access the data emails from specific data providers.

East-West Directory is cited to fill the gap based on the interpretation of the Examiner of the reference. Applicant respectfully submits that the interpretation is incorrect for the reasons given below and thus East-West Directory, in fact, fails to fill the gap or permit one skilled in the art to adapt Schiff to a different outcome.

Applicant submits that East-West Directory is silent with respect to the display of data emails or the like. In fact, the reference not only does not teach, disclose, or suggest a portal-identity-specific selection of data emails (advertising) to be displayed, but, respectfully, is silent on that topic in the passages cited by the Examiner.

Rather East-West Directory appears to teach a single portal server that distributes information to a plurality of users on the basis of user specific data, e.g., anonymous information, like the users IP address or referral data, and/or personal information, such as the name or postal code of a user - if this data is provided by the user. Thus, East-West Directory fails to teach, disclose, or suggest a distribution of data emails as required by the limitations of all independent claims and that further thereto no selection of data or data emails will be displayed based on the identity of a portal server.

For the reasons alluded to above, Applicant respectfully suggests that absent impermissible hindsight, there is nothing to suggest to one skilled in the art to combine Schiff and East-West Directory to arrive at the teachings of the presently claimed invention.

The presently claimed invention, wherein data providers may address a plurality of data receiver with a single data email being displayed over the homepage of a portal server, whereby the data emails from a plurality of data providers are stored in an advertising memory of a central information server and are distributed over the portal servers, which only get access to specific data emails depending on their identity and on the choice of the data provider, is therefore neither shown nor made obvious by the cited prior art.

All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290.

Respectfully submitted,

/Hassan A. Shakir/  
Hassan A. Shakir  
Reg. No. 53,922  
212.940.6489

**CUSTOMER NO.: 026304**

**ATTORNEY DOCKET NO.: GRAT 22.694(100717-00113)**